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SUBJECT: PM LATORTUE ON ELECTIONS, NEPTUNE AND JEAN-JUSTE

Classified By: Charge d'Affaires Timothy M. Carney for reasons 1.4 (B) and (D)

11. (C) SUMMARY: Interim Prime Minister Gerard Latortue told Charge January 5 that the interim government (IGOH) does not object to examination and diagnosis of imprisoned priest Gerard Jean-Juste by the physician of his choice. Before options for treatment would be explored, however, Latortue wants a formal opinion on the leukemia diagnosis made by well-known doctor/activist Paul Farmer, whom Latortue described as a "known Lavalas supporter". Farmer diagnosed Jean-Juste with early-stage chronic lymphocytic leukemia based on an informal examination and blood test at the Pacot prison annex on December 18. Charge then asked if former Prime Minister Yvon Neptune, also imprisoned, might still accept the 2005 IGOH offer of treatment outside of Haiti. Latortue said that this would be difficult since Neptune has now been formally charged and the prosecution is finally underway. Latortue instead mooted moving Neptune to the Argentine military hospital, an offer that might not interest Neptune due to the stark nature of the facility. The brief breakout meeting with Charge took place during a three-hour meeting among Latortue, Special Representative of the Secretary General (SRSG) Juan Gabriel Valdes, OAS Ambassador

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Denneth Modeste and the Provisional Electoral Council (CEP). Latortue lobbied in that meeting for a February 7 first round, a March 12 second round, and a March 29 inauguration, but the CEP failed to reach consensus. Latortue told Charge that he welcomed pressure from the UN Security Council and others to compel action by the CEP. END SUMMARY.

Neptune

12. (C) On January 5, Interim Prime Minister Gerard Latortue broke from his three-hour meeting with the SRSG, OAS and CEP to speak with Charge about the ongoing imprisonment of priest/Lavalas activist Gerard Jean-Juste and of former Prime Minister Yvon Neptune. Charge asked if the 2005 IGOH offer to allow Neptune to seek treatment abroad is still valid. Latortue replied that this would be difficult now that Neptune has been formally charged and the judicial process is underway. Latortue noted the SRSG's offer to transfer Neptune to the Argentine military hospital instead. Latortue stated that any move to have Neptune transferred would

require the consent of the appellate court in Gonaives, which would also probably require a formal request from Neptune's attorney. Neptune has refused counsel since his initial arrest in 2004. Charge argued that Neptune should be able to make the request on his own behalf. PM replied "maybe." Neptune, who was held for over a year without charges, is now in custody pending trial for "intellectually masterminding" the La Scierie massacre that took place in Saint Marc in February 2004. Neptune, who previously spent several months in the windowless Argentine field hospital after a near-fatal hunger strike in the winter of 2005, was unhappy during his stay there, and he may be unlikely to accept such an offer. Interim Justice Minister Henri Dorleans separately told Charge that the head of the Prison would put the notion of a transfer to the Argentine hospital to Neptune (NFI).

Jean-Juste

13. (C) Charge then asked Latortue if it would be possible for imprisoned Lavalas activist/priest Gerard Jean-Juste to receive treatment abroad. On December 26, well-known doctor/activist Paul Farmer published his diagnosis of Jean-Juste with early stage leukemia in a letter to the Miami Herald. In a telcon on January 5, Farmer told DCM that he is absolutely sure of his diagnosis. Farmer followed up with a letter to the DCM in which he confirmed his public diagnosis of early-stage chronic lymphocytic leukemia. Jean-Juste, in custody awaiting arraignment on weapons charges and for his alleged involvement in the 2005 kidnapping and murder of journalist Jacques Roche, has refused an offer to be transferred to the Canape Vert hospital for diagnosis and possible treatment under MINUSTAH security. Latortue declined to speculate on transfer abroad, but told Charge that Jean-Juste is free to seek the doctor of his choosing to properly diagnose him. Latortue said that the IGOH needed a formal diagnosis from a physician, one who was not "a known

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Lavalas supporter" like Farmer. Most importantly, Latortue requested that any talk of treatment or transfer for either Neptune or Jean-Juste be kept out of the press to avoid a reaction from the anti-Lavalas sector in Haiti.

Elections

14. (C) Latortue told Charge that he, along with SRSV Valdes and Ambassador Modeste, was pressing the CEP to accept a first round of February 7, a second round of March 12, and an inauguration of March 29. These dates, which appear to allow enough time to resolve most if not all of the outstanding election obstacles, are also symbolic in that February 7 is the anniversary of the end of the Duvalier dictatorship while March 29 is the anniversary of the 1987 Haitian constitution. However, some members of the CEP, most notably Patrick Fequiere, have resisted elections in February and continue to insist on postponing the first round of elections until March 2006 or beyond. We subsequently learned that the January 5 meeting ended with no consensus on election dates.

15. (C) Latortue also reported that he had spoken with European Community Commissioner Louis Michel by telephone regarding the electoral calendar. Latortue said that by asking for Michel's advice on a way out of the electoral date conundrum, he assuaged Michel and won his support for the February 7 first round. Latortue said that he mooted his resignation but was rebuffed by Michel, who told Latortue to keep pressing for a near-term date.

Comment

16. (C) The PM faces enormous local opposition to any compassionate release for Jean-Juste or Neptune. Indeed, their continued incarceration has generated minimal interest in Haiti. If the CEP means to delay the elections until conditions are perfect, elections will never happen. Moreover, in the course of its nearly two years in authority,

the CEP has demonstrated no ability to use extra time allotted to it to take action. While problems remain in the electoral process, a credible, fair and inclusive first-round election can and should be held on February 7. END COMMENT.
CARNEY